

CITY COUNCIL REPORT



Meeting Date: April 29, 2014
 General Plan Element: ***Neighborhoods***
 General Plan Goal: ***Enhance and protect neighborhoods***

ACTION

Appointment of Pro Tem Judges for the City Court. Adopt Resolution 9722, approving the initial appointment of 6 Pro Tem Judges for a two-year term for the period of May 17, 2014 through May 17, 2016 and the reappointment of 18 current Pro Tem Judges for a four year term for the period of May 17, 2014 through May 17, 2018 and to newly appoint 6 Pro Tem Judges for a two year term for the period of May 17, 2014 through May 17, 2016.

The following individuals are requested for appointment to an initial two year term: Savita Kasturi, Susan Kayler, Thomas Scarduzio, Errol Shifman, Edward Southern and Raymond Vaca.

The following individuals are requested for subsequent reappointment to a four-year term: Charles Adornetto, David Alexander, Alvin Bell, Florence Bruemmer, Douglas Erickson, Timothy Forshey, Biagio Gingo, Robert Howard, Robert Knapp, Jr., Alicia Lawler, Nancy Lewis, B. Monte Morgan, Taras Naum, Kevin Neal, Michelle O'Hair-Schattenberg, Lori Patrick, Denise Scammon and Thomas Shaw.

BACKGROUND

The City Court utilizes judges *pro tempore* ('Pro Tems') as backup and temporary judicial officers to ensure prompt coverage for both routine and unexpected occurrences in conducting court calendars and proceedings. The *Pro Tem* names nominated constitute a roster of qualified candidates upon which the Court can draw to ensure temporary and on call judge coverage. The size of the roster is driven by the individuals' availability to serve. Those listed on the roster commonly have a private practice which limits their ability to serve for all *Pro Tem* requests; thus, the roster is of a size to provide the City Court with adequate resources for *Pro Tem* service. Regular City Court Judges are required to obtain judicial training each year, through conferences and attendance at orientations; additionally, permanent judges participate in judicial briefings and committees. Upon these absences, as well as unexpected absences for vacation or illness, a substitute is required. *Pro Tem* judges are considered part time, non-benefitted City employees and are paid \$53.83 per hour when they serve. The City Court budgets for these charges in the personal services budget category, with approximately \$88,400 allocated in Fiscal Year 2014-2015. The City Court concertedlly works to manage *Pro Tem* expenditures within the approved budget amount.

ANALYSIS & ASSESSMENT

Recent Staff Action

Pro Tem judges are sought by a public recruitment process. Open recruitments for Pro Tem judges for the City Court commenced on January 24, 2014, and closed on February 7, 2014, allowing a period of two weeks for interested candidates to apply. Candidates were screened as to qualifications. Final candidates were interviewed, and background and reference checks made with the Arizona State Bar Association to ensure each candidate was in good standing.

Policy Implications

No policy implications exist.

Significant Issues to be Addressed

There are no significant issues to be addressed.

Community Involvement

Community involvement is not applicable.

RESOURCE IMPACTS

Available funding

The City Court has approximately \$88,400 in the personal service budget for the express purpose of Pro Tem judge pay.

Staffing, Workload Impact

The City Court receives 89,952 to 93,306 total new civil and criminal charges on an annual basis. The use of Pro Tem judges assists the Court in providing timely and prompt conduct of the court calendars.

Maintenance Requirements

There are no foreseen maintenance requirements.

Future Budget Implications

There are no foreseen budget implications.

Cost Recovery Options

Cost recovery is not applicable.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach

Adopt Resolution 9722 approving the *initial appointment* of City Court Pro Tem Judges from the stated roster to a two-year term for the period of May 17, 2014 through May 17, 2016 and approving the *reappointment* of City Court Pro Tem Judges from the stated roster to a four-year term for the period of May 17, 2014 through May 17, 2018.

Description of Alternative Options

There is no alternative either considered or proposed due to the critical nature of City Court operations. The City Court will work to contain budget expenditures within the approved budget.

Proposed Next Steps

Upon the appointment of Pro Tem judges, the City Court will conduct an orientation and briefing for the candidates, City Human Resources will conduct new employee orientation for those newly appointed, and the Court will commence use as needed.

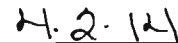
RESPONSIBLE DEPARTMENT(S)

STAFF CONTACTS (S)

Julie A. Dybas, Court Administrator, 480-312-2775, jdybas@scottsdaleaz.gov

APPROVED BY


Joseph Olcavage, Presiding Judge


4/02/2014

c/o Julie A. Dybas, Court Administrator, jdybas@scottsdaleaz.gov

ATTACHMENTS

1. Resolution 9722

RESOLUTION NO. 9722

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SCOTTSDALE, ARIZONA, APPROVING THE INITIAL
APPOINTMENT AND THE REAPPOINTMENT OF CITY
COURT JUDGES PRO TEMPORE.

WHEREAS, Sections 9-2 and 9-3 of the Scottsdale Revised Code authorize the City Judge to submit, and the City Council to review and appoint, as necessary, names of members of the State Bar of Arizona who are available as additional judges or judges pro tempore; and

WHEREAS, the City Court utilizes judges pro tempore as temporary judicial officers to ensure prompt coverage for both routine and unexpected occurrences in conducting court calendars and proceedings; and

WHEREAS, the City Court conducted an open recruitment for qualified judges pro tempore beginning January 24, 2014, and ending February 7, 2014, and the City Judge has identified and recommended several qualified candidates; and

WHEREAS, Section 9-2(b) of the Scottsdale Revised Code requires that the initial appointment of judges pro tempore shall be for a term of two years and any subsequent reappointment shall be for a term of four years;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Scottsdale, as follows:

Section 1. The following qualified members of the State Bar of Arizona are hereby appointed as judges pro tempore of the Scottsdale City Court for an initial term of two years beginning on May 17, 2014, and ending on May 17, 2016: Savita Kasturi, Susan Kayler, Thomas Scarduzio, Errol Shifman, Edward Southern and Raymond Vaca.

Section 2. The following qualified members of the State Bar of Arizona are hereby reappointed as judges pro tempore of the Scottsdale City Court for a subsequent term of four years beginning on May 17, 2014, and ending on May 17, 2018: Charles Adornetto, David Alexander, Alvin Eugene Bell III, Florence Bruemmer, Douglas Erickson, Timothy Forshey, Biagio Gingo, Robert Howard, Robert E. Knapp, Jr., Alicia Lawler, Nancy Lewis, B. Monte Morgan, Taras Naum, Kevin Neal, Michelle O'Hair- Schattenberg, Lori Patrick, Denise Scammon, and Thomas Shaw.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 29th day of April, 2014.

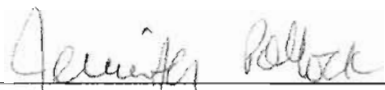
ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

Carolyn Jagger
City Clerk

W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:



Bruce Washburn
City Attorney
By: Jennifer Pollock
Senior Assistant City Attorney